

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re

SHAHARA KHAN,

Chapter 7

Case No. 10-46901-ess

Debtor.

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DEBRA KRAMER

AS TRUSTEE OF THE ESTATE OF SHAHARA KHAN,

Plaintiff,

Adv. Pro. No. 11-01520-ess

-against-

TOZAMMEL H. MAHIA,

Defendant.

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TOZAMMEL H. MAHIA,

Counter-Claimant,

-against-

DEBRA KRAMER

AS TRUSTEE OF THE ESTATE OF SHAHARA KHAN,

Counter-Defendant.

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SCHEDULING ORDER

WHEREAS, on July 22, 2010, Shahara Khan filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code; and

WHEREAS, on December 3, 2011, Debra Kramer, as Trustee in the Debtor's Chapter 7 case, commenced this adversary proceeding against Tozammel H. Mahia by filing a complaint; and

WHEREAS, on February 7, 2012, the Defendant filed an answer to the complaint with a

demand for a jury trial and counterclaims; and

WHEREAS, on March 24, 2012, the Trustee filed a motion for sanctions under Section 1927 of Title 28 of the United States Code against the Defendant's attorney, Karamvir Dahiya, Esq., and the Dahiya Law Offices, LLC (collectively, the "Respondent"); and

WHEREAS, on April 23, 2012, the Defendant filed a letter stating that the Defendant terminated the services of the Respondent as the Defendant's attorney, and retained Christine Rubinstein, Esq. of Castiglia-Rubinstein & Associates, as the Defendant's new attorney in this matter; and

WHEREAS, on April 23, 2012, the Respondent filed an affirmation in opposition to the Trustee's motion for sanctions; and

WHEREAS, on April 23, 2012, the Defendant filed two letters indicating that the Defendant was withdrawing all counterclaims; and

WHEREAS, on April 26, 2012, the Court issued an order scheduling an evidentiary hearing on the motion for sanctions on June 13, 2012, at 9:00 a.m.; and

WHEREAS, the matter was adjourned from time to time until September 13, 2012; and

WHEREAS, on September 13, 2012, the Court held a hearing at which the Trustee, by counsel, and the Respondent, by counsel, appeared and were heard, and the terms of a settlement agreement were read into the record; and

WHEREAS, on October 18, 2012, Wayne M. Greenwald filed a letter indicating that he had been discharged as attorney for the Respondent; and

WHEREAS, on October 18, 2012, the Respondent filed a letter indicating that he had discharged his attorney, did not agree with the terms of the settlement, and intended to file a

motion pursuant to Section 157(d) of Title 28 of the United States Code to withdraw the reference; and

WHEREAS, on October 25, 2012, the Trustee filed a letter requesting that the Court mark the matter submitted on the current evidence or schedule an evidentiary hearing; and

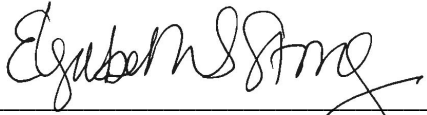
WHEREAS, on October 31, 2012, a telephonic conference was held at which the Trustee, by counsel, and the Respondent, *pro se*, appeared and were heard.

NOW THEREFORE, it is hereby

ORDERED, that an adjourned hearing on the Movant's motion shall be held on November 30, 2012, at 1:00 p.m. before the Honorable Elizabeth S. Stong in Courtroom 3585, United States Bankruptcy Court, 271 Cadman Plaza East, Brooklyn, New York 11201.

**Dated: Brooklyn, New York
November 7, 2012**




Elizabeth S. Stong
United States Bankruptcy Judge

SERVICE LIST:

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Eugene M Banta
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Wayne M. Greenwald
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United States Trustee
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Brooklyn, NY 11201

Notice Recipients

District/Off: 0207-1

User: frandazzo

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Recipients of Notice of Electronic Filing:

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aty	Karamvir Dahiya	karam@bankruptcypundit.com

TOTAL: 3

Recipients submitted to the BNC (Bankruptcy Noticing Center):

ust	United States Trustee	271 Cadman Plaza East	Suite 4529	Brooklyn, NY 11201 USA
	Tozammel H. Mahia	101-14 102nd Street	Ozone Park, NY 11416-2620	
	Debra Kramer	Debra Kramer, PLLC	98 Cutter Mill Road	Suite 466 South Great Neck, NY 11021
	Shahara Khan	101-14 102 St.	Ozone Park, NY 11416	
	Eugene M Banta	NY Multi Serv, LLC	3307 102 Street	Corona, NY 11373
	Wayne M. Greenwald	475 Park Avenue South - 26th Floor	New York, NY 10016	
	United States Trustee	271 Cadman Plaza East	Suite 4529	Brooklyn, NY 11201

TOTAL: 7